

~~CONFIDENTIAL~~
CC 95-155

Before the
Federal Communications Commission
Washington, D.C.

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In the Matter of)
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)
Consolidated Communications')
Telecom Services Inc.)
)
Petition to Modify the 888 Number)
Conservation Plan)

RECEIVED

MAR 26 1997

Federal Communications Commission
Office of Secretary

PETITION TO MODIFY THE 888 NUMBER
CONSERVATION PLAN

Consolidated Communications Telecom Services Inc. ("CCTS"), by its attorneys, hereby petitions the Federal Communications Commission ("Commission") to modify its 888 Number Conservation Plan¹ to increase CCTS's weekly allotment of 888 numbers, or in the alternative to recalculate 888 number allotments industry-wide, due to the exhaustion of 800 numbers.²

FACTS

CCTS is a Responsible Organization ("RespOrg") that operates under the conservation plans established by the Commission for the allotment of 800 and

¹ Toll Free Service Access Codes, (Report and Order) 11 FCC Rcd 2496 (1996).

² On Wednesday, February 26, 1997, the supply of 800 toll free numbers was exhausted, according to a representative of Database Service Management, Inc.

888 numbers. Under these plans, CCTS is scheduled to receive one thousand 800 numbers per week and three hundred 888 numbers per week. This total allotment permitted CCTS to effectively service its customers. However, when the 800 number supply was exhausted on February 26, 1997, CCTS's total weekly allotment of toll free numbers was slashed by 77 percent.

Because the Common Carrier Bureau ("Bureau") is obligated to "carefully monitor and investigate complains from RespOrgs . . . and customers,"³ CCTS contacted the Bureau on February 28, 1997,⁴ to determine what relief would be available. Pursuant to Commission regulation⁵ and Bureau recommendations, CCTS files this petition for modification of the 888 number conservation plan based upon the following grounds.

ARGUMENTS

Customer Demand. Under the current 888 number allotment, CCTS is unable to satisfy its customers' service demands. CCTS has based its ability to service customers on the premise that it would have a total allotment of thirteen hundred toll free numbers to assign to customers. The loss of 77 percent of CCTS's allotment dramatically and negatively impacts CCTS's operations. Quite simply, CCTS's supply has plummeted while customer demand has remained constant⁶ which has created an artificial supply shortage in the market.

³ Report and Order, 11 FCC Rcd at 2505.

⁴ Telephone conversation with Erin Duffy of Common Carrier Bureau Network Services Division.

⁵ 47 C.F.R. § 1.3.

⁶ There is speculation that exhaustion of 800 numbers will, in fact, cause demand for 888 numbers to increase. However, since only six

Modification of the 888 conservation plan is needed to alleviate this artificial supply shortage, and to enable CCTS to service its current and future customers.

Industry-Wide Crisis. The sudden exhaustion of 800 numbers has created a supply shortage for the entire toll free number industry. The current 888 number conservation plan assumed that, in addition to an allotment of 888 numbers, RespOrgs would be receiving an allotment of 800 numbers.⁷ With the exhaustion of 800 numbers, all RespOrgs face a decreased allotment. Therefore, it is in the public interest for the Commission to remedy quickly this supply shortage created, but not addressed, by the 888 number conservation plan allotment structure.

Uncertainty of Future Allocation Methodology. Demand for 888 numbers has increased due to the possibility that toll free numbers may be allotted by auction. President Clinton's recent budget proposal includes funding for auctioning toll free numbers. According to feedback from CCTS's market, customers prefer to acquire as many toll free numbers as practicable before an auction format is instituted. CCTS is not basing this petition for modification on speculation about its customers' preferences, rather CCTS bases this petition on its customers' demands. Currently, CCTS's customers are demanding more than CCTS can supply. Modification of the 888 conservation plan will permit CCTS to meet these increasing demands.

days have elapsed since the exhaustion of 800 numbers, CCTS assumes arguendo, that customer demand remains constant.

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"We expect this generous allocation of 888 numbers, in addition to the 800 numbers . . . , will offer RespOrgs a reasonable opportunity to meet their subscriber needs." Report and Order, 11 FCC Rcd at 2505 (emphasis added).

CONCLUSION

Just as the Commission modified the conservation plan for 800 numbers "to better meet the needs of the industry while balancing the need to keep 800 numbers available until [the next toll free area code was made available]"⁸, the Commission should modify the conservation plan for 888 numbers. For all the above stated reasons, CCTS requests that the Commission modify the 888 number conservation plan to increase CCTS's weekly allotment of 888 numbers.

Respectfully submitted,

CONSOLIDATED NETWORK, INC.

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March __, 1997

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